

\*\*E-Filed 11/10/05\*\*

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JUAN D. MARTINEZ, et al.,

Plaintiffs,

v.

MONTEREY COUNTY, CALIFORNIA, et al.,

Defendants.

Case Number C 05-2950 JF

ORDER GRANTING PLAINTIFFS'  
REQUEST TO WITHDRAW MOTION  
FOR INJUNCTION PENDING  
APPEAL; AND REQUESTING THAT  
PLAINTIFFS ADVISE THE COURT  
RE FURTHER PROCEEDINGS

Plaintiffs' request for leave to withdraw their motion for injunction pending appeal is GRANTED. Plaintiffs shall advise the Court on or before November 16, 2005 whether they believe that the instant action is moot in light of the outcome of the November 8 election and, if they believe that it is not, whether and how they intend to proceed with the action and the pending appeal.

On behalf of the Panel, IT IS SO ORDERED.

DATED: November 10, 2005

/s/ electronic signature authorized

JEREMY FOGEL  
United States District Judge

Copies of Order served on:

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